

In the Claims

Please amend claim 2 as follows (a marked up version of is attached as Appendix C):

C3
2.(amended) The pant of claim 1 wherein said at least one elastic panel is wide enough to encircle the used pant at least 1½ times.

REMARKS

On December 11, 2002, the Examiner sent a Notice of Non-Complaint Amendment to Applicants in response to an amendment filed by Applicants on September 25, 2002. Specifically, a clean version of the above replacement paragraph beginning on page 28 lines 21 through page 29 line 2 was required in accordance with 37 CFR 1.121 (b)(1)(ii), a marked up version of the paragraph beginning on page 5 line 4 through page 6 line 16 was required in accordance with 37 CFR 1.121 (b)(1)(iii), and a clean copy of amended claim 2 was required in accordance with 37 CFR 1.121(c)(1)(ii). By this paper, Applicants respectfully submit that a clean copy of the required replacement paragraphs and amended claim and a marked up version of the required paragraphs has been provided.

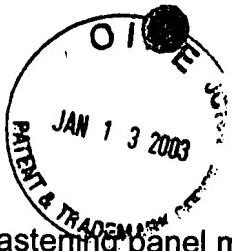
CONCLUSION

In conclusion, Applicants respectfully submit that the previously submitted Amendment is now in compliance and that all pending claims are allowable in their present form, and hereby request allowance in a timely manner. No fee or petition for extension of time is believed to be required. If, however, any fee or petition for extension of time is deemed necessary, Applicants herein petition for any extension of time required and hereby authorize the Commissioner to deduct said fee from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. If any questions arise or issues remain, the Examiner is invited to contact the undersigned at the number listed below in order to expedite disposition of this application.

Respectfully submitted,


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APPENDIX A

The front fastening panel may be made from any material that has a surface that will adhere to the surface of the closure devices. Such closure devices are well known to the art and may include by way of example and without limitations, mechanical fasteners; adhesive tapes; adhesive tabs; buttons; ties; VELCRO [Velcro]®, hooks; clips; snaps; hook and loop; bottom and loop; interlocking hook; hook and hook type devices. A preferred material for the front fastening panel and one that is readily refastenable to hook closure devices is the material described in the co-pending Stokes U.S. patent application no. 754,419, filed December 16, 1996, which is assigned to Kimberly-Clark, and which is incorporated herein by reference.

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APPENDIX B

Generally, the elastic side panels can be attached to the chassis by any suitable technique known to the art. The elastic side panels can be positioned between the backing member and the bodyside liner, on the bodyside of the bodyside liner or on the outside of the backing member. Optimally, they are positioned in-between the backing member and the bodyside liner. The elastic side panels and the chassis can overlap to greater or lesser extents depending upon the overall size of the pant, the length of the elastic panel, the strength of the components, the type of attachment used (i.e., glue, ultrasonic, etc.) and the costs associated with those components. By way of illustration, if the elastic side panels are attached to the outside of the chassis, they could overlap the chassis by about 5% to about 25% or more of the chassis width. When the elastic side panels are positioned between the bodyside liner and the backing member they should overlap these layers sufficiently for the manner of attachment to be effective. By way of illustration, and without any limitation on the size of the product, in a product for an adult having an overall width (the sum of 18, 19 and 20) of about 27 inches (686 mm), 36 inches in state under tension[,] (914 mm) and a chassis width 20 of about 13½ inches (343 mm), the overlap should optimally be about from ¼ of an inch (6.4 mm) to about 1½ inches (38 mm).

The elastic side panels can be attached to the chassis by the use of adhesives, ultrasonic bonding, heat, pressure, or any other technique known to the art. Generally, any type of adhesive that can provide a strong bond can be used. These would include by way of illustration hot melt adhesives, solvent-based adhesives, pressure sensitive adhesives, elastic attachment adhesives, and thermoset adhesives. Ideally, a hot melt adhesive may be used. By way of illustration, and with out any limitation on the types of adhesive that can be used, suitable hot melt adhesives can be obtained from: Ato-Findley Adhesives located in Wauwatosa, Wisconsin under the trade names H-2525A or H2096; and National Starch & Chemical Corporation located in Bridgewater, New Jersey under the trade name 34-5610.

The adhesives may be applied through any number of techniques and in any number of patterns known to the art, which include by way of example and without limitation, spray, meltblown, slot coat, roll coat, gravure, spiral, rows, strips, or dots.

Ultrasonic bonding of the components can be accomplished by using any ultrasonic bonding device known to the art. Such devices can be obtained for example from [Branson] BRANSON® or [Dukane] DUKANE®. The pattern for the ultrasonic bond or weld should be such that it permits a good attachment of the components without adding unnecessarily to the stiffness of the part, although as described herein in at least one embodiment having some stiffness in these bonds is desirable. Such patterns include by way of example and without limitation, staggered dots, aligned dots, bars, crescents, or combinations of these. The pattern can be achieved either by plunge bonding or rotary ultrasonic bonding.

APPENDIX C

2.(amended) The part of claim 1 wherein said at least one [on] elastic panel is wide enough to encircle the used pant at least 1½ times.